

BUREAU OF AUTOMOTIVE REPAIR

Specific Language of Proposed Regulations

Legend: Deleted text is indicated by ~~strikethrough~~.
Added text is indicated by underlining.
Omitted text is indicated by (* * * *).

(1) Section 3340.16 of Division 33 of Title 16 of the California of Regulations is amended as follows:

§ 3340.16. Test-Only Station Requirements.

(a) Basic Area. A smog check test-only station operating in a basic area shall have all testing equipment and emission application and reference manuals necessary to test and/or inspect all affected vehicles, including the following:

(1) Test analyzer system in accordance with the bureau's test analyzer system specifications referenced in section 3340.16.717(a) of this article.

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(9) An evaporative emission control inspection system that meets subsections (a) through (h) and (j) of section 2.8 of the emissions inspection system specifications referenced in section 3340.16.717(b).

(b) Enhanced Area. A smog check test-only station operating in an enhanced area shall have all of the equipment and materials specified by and conform to the requirements of subsection (a) above, except for subsection (a)(1) and (a)(5), and an emissions inspection system in accordance with the bureau's Emissions Inspection System Specifications referenced in 3340.16.717(b) of this article. A smog check test-only station operating in an enhanced area shall have a tire pressure gauge capable of accurately measuring tire pressure at the specification for the vehicles being tested and inspected using the loaded mode test procedure.

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NOTE: Authority cited: Sections 44002 and 44013, Health and Safety Code. Reference: Sections 44012, 44013, 44014.5 and 44015, Health and Safety Code.

(2) *Section 3340.16.5 of Division 33 of Title 16 of the California of Regulations is amended as follows:*

§ 3340.16.5. Test-and-Repair Station Requirements.

* * * *

(b) Enhanced Area. A smog check test-and-repair station operating in an enhanced area shall have:

(1) The equipment and materials specified by, and conform to the requirements of, subsection (a) of this section, an emission inspection system in accordance with the bureau's Emission Inspection System Specifications referenced in section 3340.16.717(b) of this article.

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NOTE: Authority cited: Section 44002, Health and Safety Code. Reference: Sections 44012, 44030(b) and 44036(b), Health and Safety Code.

(3) *Section 3340.16.7 of Division 33 of Title 16 of the California of Regulations is repealed as follows:*

~~§ 3340.16.7. Test Equipment and Electronic Transmission Requirements.~~

~~(a) Each Smog Check station operating in a basic area shall have a BAR-certified test analyzer system that meets the specifications contained in the BAR Test Analyzer System Specifications dated April 1996, herein incorporated by reference. Vehicle data emission test results shall be transmitted to the department's centralized data base in accordance with the procedures contained in these specifications, which include the form, manner and frequency of data transmittals.~~

~~(b) Each Smog Check station operating in an enhanced area shall have a BAR emissions~~

~~inspection system that meets the specifications contained in the BAR Emissions Inspection System Specifications dated May 1996, herein incorporated by reference. Vehicle data emission test results shall be transmitted to the department's centralized data base in accordance with the procedures contained in these specifications, which include the form, manner and frequency of data transmittals.~~

~~NOTE: Authority cited: Sections 44002, 44036, and 44037.1, Health and Safety Code. Reference: Sections 44012, 44036, and 44037.1, Health and Safety Code.~~

(4) Section 3340.17 of Division 33 of Title 16 of the California of Regulations is amended to read as follows:

§ 3340.17. Test Equipment, Electronic Transmission, Maintenance and Calibration Requirements.

(a) Each smog check station operating in a basic area shall have a BAR certified test analyzer system that meets the specifications contained in the BAR-90 Test Analyzer System Specifications dated April 1996, hereby incorporated by reference. Vehicle data emission test results shall be transmitted to the department's centralized data base in accordance with the procedures contained in these specifications, which include the form, manner and frequency of data transmittals. The test analyzer system shall be maintained and calibrated in accordance with the bureau's ~~test analyzer system specifications~~ BAR-90 Test Analyzer System Specifications referenced in ~~this subsection-3340.16.7(a) of this article,~~ and in accordance with the manufacturer's specifications. The test analyzer system shall have the most current software and hardware updates required by the bureau.

(b) Each smog check station operating in an enhanced area shall have a BAR emissions inspection system that meets the specifications contained in the BAR-97 Emissions Inspection System Specifications dated May 1996, as revised through December 2001, hereby incorporated

by reference. Vehicle data emission test results shall be transmitted to the department's centralized data base in accordance with the procedures contained in these specifications, which include the form, manner and frequency of data transmittals. The emissions inspection system shall be maintained and calibrated in accordance with the bureau's BAR-97 Emissions Inspection System Specifications referenced in this subsection, and in accordance with the manufacturer's specifications. The emissions inspection system shall have the most current software and hardware updates required by the bureau.

~~(b)~~ (c) All other diagnostic and repair equipment shall be maintained in good working condition. All equipment requiring calibration or adjustment shall be calibrated or adjusted in accordance with the instructions of the manufacturer, as approved by the bureau.

~~(e)~~ (d) ~~An analyzer~~ A test analyzer system or emissions inspection system shall only be used within a building and shall not be used in an environment that would subject the analyzer to excessive heat, cold, dust, or moisture. The specifications for environmental conditions are referenced in the bureau's "BAR Exhaust Gas Analyzer Specifications" dated 1980, as herein incorporated by reference, and in the ~~Test a~~ Analyzer s ~~System s~~ Specifications and Emissions Inspection System Specifications referenced in ~~subdivision~~ subsections (a) and (b) of this section.

~~(d)~~ (e) ~~The analyzer~~ Test analyzer systems and emissions inspection systems shall be calibrated only with BAR approved gases that are certified in accordance with section 3340.18 of this chapter. ~~as listed in the "BAR Exhaust Gas Analyzer Specifications."~~

~~(e)~~ (f) Only bureau-authorized representatives or authorized manufacturer representatives shall have access to the test analyzer system or emissions inspection system for service or inspection.

(g) Test analyzer systems and emission inspection systems that the bureau finds do not comply with the hardware and software requirements and specifications established in this article will be disconnected from the bureau's centralized computer database and network, and thereby prohibited from being used to perform smog check inspections, and to transmit certificates of compliance to the Department of Motor Vehicles, until they are brought into compliance.

NOTE: Authority cited: Section 44002, 44036 and 44037.1, Health and Safety Code. Reference: Sections 44012, ~~and 44036~~ and 44037.1, Health and Safety Code.

(5) Section 3340.32 of Division 33 of Title 16 of the California of Regulations is amended to read as follows:

§ 3340.32. Standards for the Certification of Institutions Providing Retraining to Licensed Technicians or Prerequisite Training to Those Seeking to Become Licensed Technicians.

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(e) Applicants Requirements. An applicant shall meet the following requirements:

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(2) Equipment, Tools and Materials for Basic Smog Technician Courses. An institution wishing to be certified to offer Basic Smog Technician courses shall have the following tools and materials in quantities sufficient to adequately train all participating students:

(A) A test analyzer system in accordance with the bureau's test analyzer system specifications referenced in section 3340.16.717(a) of this article.

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(3) Equipment, Tools and Materials for Advanced Smog Technician Courses. An institution wishing to be certified to offer Advanced Smog Technician courses shall, in addition to the equipment required by subsection (e)(2) of this section, have the following equipment:

(A) An emissions inspection system in accordance with the bureau's emissions inspection system specifications referenced in section 3340.16.717(b) of this article.

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NOTE: Authority cited: Section 44002, Health and Safety Code. Reference: Sections 44030.5, 44031.5(b), 44045.6 and 44050, Health and Safety Code.

(6) *Section 3340.42 of Division 33 of Title 16 of the California of Regulations is amended to read as follows:*

§ 3340.42. Mandatory Emissions Inspection Standards and Test Procedures.

Smog check stations and smog check technicians shall conduct tests and inspections in accordance with the bureau's BAR Test Analyzer System Specifications referenced in section 3340.16.717(a) or the BAR Emissions Inspection System Specifications referenced in section 3340.16.717(b), whichever is appropriate, and the following:

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NOTE: Authority cited: Sections 44002, 44003, 44013 and 44036, Health and Safety Code. Reference: Sections 39032.5, 44002, 44003, 44005, 44011, 44011.3, 44012, 44013, 44014.5, 44015, 44017, 44032, 44036, 44062.1 and 44081, Health and Safety Code.

(7) *Section 3340.50 of Division 33 of Title 16 of the California of Regulations is amended to read as follows:*

§ 3340.50. Fleet Facility Requirements.

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(b) Equipment. The fleet facility shall have the equipment required by a smog check station, as set forth in sections 3340.16.5 and 3340.16.717 of this chapter. Equipment shall be maintained and calibrated in accordance with section 3340.17 of this chapter.

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NOTE: Authority cited: Section 44002, Health and Safety Code. Reference: Sections 44020 and 44045.5, Health and Safety Code.